

SENATE BILL No. 359

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Moratorium on comprehensive care beds and hospitals. Imposes a moratorium on the construction or addition of: (1) comprehensive care beds; (2) ambulatory outpatient surgical centers; and (3) hospitals; through June 30, 2006. Exempts continuing care retirement communities and health facilities under specified circumstances from the moratorium on comprehensive care beds. Makes certain exceptions to the moratorium on hospitals.

Effective: July 1, 2004.

Miller

January 12, 2004, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 359

A BILL FOR AN ACT concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 2004] (a) As used in this
2 SECTION, "comprehensive care bed" means a bed that:

- 3 (1) is licensed or is to be licensed under IC 16-28-2;
4 (2) functions as a bed licensed under IC 16-28-2; or
5 (3) is subject to IC 16-28.

6 The term does not include a comprehensive care bed that will be
7 used solely to provide specialized services and is subject to
8 IC 16-29.

9 (b) This SECTION does not apply to the following:

- 10 (1) A continuing care retirement community that is required
11 to file a disclosure statement under IC 23-2-4.
12 (2) A health facility licensed under IC 16-28 that has:
13 (A) maintained; and
14 (B) reported to the office of Medicaid policy and planning
15 established by IC 12-8-6-1;
16 a comprehensive care bed occupancy rate of at least ninety
17 percent (90%) for two (2) consecutive quarters.

18 (c) Comprehensive care beds may not be added or constructed



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1 in Indiana.

2 (d) Residential beds licensed under IC 16-28-2 and unlicensed
3 beds may not be converted to comprehensive care beds.

4 (e) Notwithstanding IC 16-29-3, hospital acute care beds may
5 not be converted to comprehensive care beds.

6 (f) The Indiana health facilities council may not recommend and
7 the state department of health may not approve the certification of
8 new or converted comprehensive care beds for participation in a
9 state or federal reimbursement program, including programs
10 under Title XVIII or Title XIX of the federal Social Security Act
11 (42 U.S.C. 1395 et seq. or 42 U.S.C. 1396 et seq.).

12 (g) This SECTION expires June 30, 2006.

13 SECTION 2. [EFFECTIVE JULY 1, 2004] (a) As used in this
14 SECTION, "ambulatory outpatient surgical center" has the
15 meaning set forth in IC 16-18-2-14.

16 (b) As used in this SECTION, "hospital" means a hospital that
17 is licensed under IC 16-21-2.

18 (c) This SECTION does not apply to the following:

19 (1) The replacement or fixing of equipment or a building due
20 to an earthquake or a severe adverse weather conditions.

21 (2) The replacement or fixing the normal wear and tear of a
22 building or equipment.

23 (d) The following may not be constructed or added in Indiana:

24 (1) An ambulatory outpatient surgical center.

25 (2) A hospital.

26 (e) The state department of health may not issue a license under
27 IC 16-21-2 to an ambulatory outpatient surgical center or a
28 hospital. This subsection does not apply to the renewal of a license
29 issued to an ambulatory outpatient surgical center or a hospital.

30 (f) This SECTION expires June 30, 2006.

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